

SPECIAL BOARD MEETING/PUBLIC HEARING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT THE TOWN HALL, 8635 CLINTON STREET
IN SAID TOWN ON THURSDAY, NOVEMBER 5, 2020
AT 6:00 P.M.

Town Supervisor Miscione called the meeting to order at 6:00 P.M. and led those in attendance in the Pledge of Allegiance to the American Flag. The roll was then taken with the following Town Officials and Department Heads being present during the progress of the meeting.

TOWN BOARD MEMBERS PRESENT:

Councilman James J. Messa
Councilman Richard Lenart
Councilman David M. Reynolds
Councilman Richard B. Woodland, Jr.
Supervisor Paul A. Miscione

OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:

Highway/Sewer Superintendent Richard C. Sherman
Human Resource Department Barbara Schwenzfeier
Town Attorney Herbert J. Cully
Deputy Town Supervisor Anthony Trevisani
Police Chief Mike Inserra
Highway Foreman Chris Moran
Deputy Clerk I Melody K. Fancett

Thereafter, the Supervisor declared a quorum present for the transaction of business.

I. PUBLIC SESSION/PUBLIC COMMENTS

- A. Councilman Reynolds – asked Keith to come to talk about solar panels/solar issues. Before COVID, we were working together to put together a package for the solar energy. Since then, the Town has submitted their proposal, law change. Keith has got some input – looking to do his own system, commercial system on Rt. 12/Tibbits Road. He has a copy of the revised law.
- B. Keith – part owner of Humphrey Farm – been approached by several solar companies to put up a community solar installation there. We did eventually sign one with a company – gone to meetings with NYSRDA – spoke about different solar systems, the Laws, etc.; Town Attorney Herbert Cully – read part of the Law, asked if should be expanded; Keith – said more of an attorney question – spoke more about the Law and made some suggestions for changes; Town Attorney Herbert Cully – appreciated Keith’s input

II. May 27, 2020 Meeting Minutes

Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Lenart:

(RESOLUTION NO. 270 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve the meeting minutes from the May 27, 2020 Town Board Meeting.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

III. PUBLIC HEARING

1. 2021 Preliminary Budget

Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 271 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve to open up the Public Hearing for the 2021 Preliminary Budget.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

Supervisor Miscione – anyone like to come up and discuss anything on the 2021 Preliminary Budget (no one came up to speak)

Councilman Messa presented the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 272 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does to close the Public Hearing for the 2021 Preliminary Budget.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

2. Stop Signs

Councilman Messa presented the following Resolution for adoption; seconded by Councilman Lenart:

(RESOLUTION NO. 273 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve to open up the Public Hearing for the stop signs.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

Town Attorney Herbert Cully read the Public Notice – Local Law Introductory “C” of 2020 – addition of four (4) stop signs in the Meadowbrook Drive Development; one (1) stop sign on Donegal Place intersecting with Meadowbrook Drive, facing northerly; one (1) stop sign on Kensington Court, interfacing with Meadowbrook Drive, facing the southerly direction, one (1) stop sign on Brook side Terrace, intersecting with Meadowbrook Drive, facing the westerly direction and one (1) stop sign on Westminster Circle, intersecting with Meadowbrook Drive, facing the southerly direction; Supervisor Miscione – anyone like to come up and discuss the stop signs (no one came up to speak).

Councilman Messa presented the following Resolution for adoption; seconded by Councilman Lenart:

(RESOLUTION NO. 274 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve to close the Public Hearing for the stop signs.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye

Councilman Woodland - Aye
Supervisor Miscione - Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

Councilman Messa presented the following Resolution for adoption; seconded by Councilman Lenart:

(RESOLUTION NO. 275 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve to adopt the Local Law related to the stop signs in the Meadowbrook Drive Development.

Upon roll call, the Board members voted as follows:

Councilman Messa - Aye
Councilman Lenart - Aye
Councilman Reynolds - Aye
Councilman Woodland - Aye
Supervisor Miscione - Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

IV. MATTERS SUBMITTED BY TOWN SUPERVISOR

1. Cathedral Agreement to print/mail tax bills -

Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 276 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve to sign the Cathedral Agreement.

Upon roll call, the Board members voted as follows:

Councilman Messa - ABSTAIN
Councilman Lenart - Aye
Councilman Reynolds - Aye
Councilman Woodland - Aye
Supervisor Miscione - Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

2. Traffic Contract with the County – ticket diversion program – get money from the County for the fines – the County has \$7,600 for us so when agree to this, they will wire over the money to us. Councilman Woodland would like to make a motion to enter into the contract.

Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 277 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve to enter into the traffic contract with Oneida County.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

3. Library Appointment – Jay Winn

Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Lenart:

(RESOLUTION NO. 278 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve to reappoint Jay Winn, effective 1/1/2021 – Library Appointment.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

- 4. Audit to be Filed – within 10 days of receipt with the Town Clerk. Town Clerk is required to publish a notice within 10 days of filing the report. (Supervisor Miscione presented Melody Fancett with the publishing requirements and the form of the Notice along with the document of the audit).**

Councilman Messa presented the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 279 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve to have the Town Clerk file and publish the Annual Financial Report update document for the Town of New Hartford, County of Oneida for fiscal year 2019.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

5. Sales Tax Update – as of 3rd quarter sales tax received - \$1,860,439.00 and other two tax quarters discussed with the savings we did over the summer, overall, we're down \$20,000 up to 3rd quarter, overall, on our budget – our 4th quarter sales tax from last year was \$1,424,403.00 – on this quarter, as long as we meet the \$1,210,000, we will be way above the \$5,575,000 that we budgeted in our budget – we're on track.
6. Updated the Bonding Sheets to include the loader for the lease and submitted it to the fiscal advisors; Lease paperwork for the loader – total amount for the loader \$92,689, that's with the trade in. Out total payments for the year are \$20,310.43 till 2025.
7. Zamboni - Highway Superintendent Richard Sherman – not under state contract, they are not with anybody – LSK is out of Virginia Beach, it's an all-electric Zamboni – it also has a laser head on it that does things with the ice – quote \$173,410 (Hamilton and Whitesboro have the same model) – special charging station comes with it for the battery – they had a 2012 model there for repairs and got at least 7-8 years out of it.

Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Lenart:

(RESOLUTION NO. 280 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve go out for bid for the Zamboni.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

8. Purchase of two (2) sweepers –with Sitcon on Sourcewell – we are a member with them – bought newest equipment from them – so we don’t have to go out for bid – they are Johnstown back sweep – two (2) year warranty – 2,000 hours warranty – left side/right side cutter broom – right side gutter tilt if have swales – 8 ½ cubic yard body (stainless steel – lifetime warranty on body) – water tank on board - on the back is a catch basin cleaner – multiple uses – quote is \$275,660 – one for each half of the Town – would replace two sweepers we have – going to keep one for when mill roads and auction other one – Village bought one (bonded for it) – has a rear vision camera – three people going to one - if get the ok tonight will have in March – Zamboni will take one (1) year; Supervisor Miscione – go out to band for it – 30 days to put in paper for two sweepers and Zamboni – re-do band (in Feb) – Zamboni order now to get end of 2021 (takes a year) – so we have for next season – can’t order until funding in place – bid Zamboni – sweepers on state contract – put in paper – 30 day notice for band for total of all three

Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 281 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve go out to band for the \$796,000 for two (2) sweepers and one (1) Olympia Zamboni

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

Discussion: Highway Superintendent Richard Sherman – permission to go out for bid; Supervisor Miscione – and need to put in the paper for the band – 30 days – next Board meeting we can take action

9. NRCS – Mrs. Martin’s Property – Highway Superintendent Richard Sherman – Town Attorney wrote a letter and got a response back dated October 27, 2020 – have given the window of opportunity to open again – numbers the same (\$125,000 estimate) - \$93,750 is allocation and sponsor contributor would be \$31,250 (25%) – someone needs to go out there and make sure the numbers are good for the grant as well as what her sponsorship is going to cost – have 15 days from time letter was given so time is up next Wed. – let them know we are going to proceed then will get the application again, fill it out and move forward; Councilman Messa – has spoken to her and she asked what numbers were; Town Attorney Herbert Cully – does the cost include the engineer; Highway Superintendent Richard Sherman – has to check but believes part of it; Town

Attorney Herbert Cully – they feel that’s sufficient to cover everything;
 Councilman Messa – how do we find out if total correct; Highway Superintendent
 Richard Sherman – get an engineer out there to look at it; Town Attorney Herbert
 Cully – I would think would be on her load to assume that responsibility because
 she’s agreeing. We’re stuck with that figure. If its going to cost anything more
 its probably got to come from her. It would be in her interest to have an engineer
 look at the figures – this reasonable or not, if not, we have to request an amended
 schedule. If she wants to go with that...but I don’t think its incumbent on us to
 come up with the figure. We’re accommodating her by willing to sponsor it with
 the understanding she’s coming up with the access that isn’t covered by the grant;
 Supervisor Miscione – (asked Rick) does that bind us though – we have to make a
 decision because we don’t have enough days to go out to bid and get back to the
 next meeting so we’re going to lose it again – make decision tonight that the
 determination of the numbers are correct – if any other additional amounts need to
 be paid, that they paid by her, she can still deny or accept it, but at least we’re not
 loosing the deal. Motion to accept the agreement to proceed with the bearing on
 the land owner for the additional 25% (whichever that number might be); Town
 Attorney Herbert Cully – to go forward as sponsor with the understanding that the
 property owner will be solely responsible for all costs not covered by the grant.

Councilman Messa presented the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 282 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve accept the NRCS agreement and to go forward as sponsor with the understanding that the property owner will be solely responsible for all costs not covered by the grant.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

V. MATTERS SUBMITTED BY HIGHWAY SUPERINTENDENT RICHARD SHERMAN

1. Stormwater project on Oneida Street/City line – bids were opened on Oct. 29, 2020 – received four (4): 1. DH Smith (Clayville, NY) \$513,161.35 2. Slate Hill Contractors (Warners, NY) - \$590,000 3. James Bray \$259,000 4. William Keller and Son Construction (Castleton, NY) \$249,225 – Met with Oneida County Soil and Water and they accepted the bid from William Keller and Son Construction

2. Clinton Street (NYM) Bridge – water main/sewer main leaking under bridge – stormwater not good – worried about sewage going in creek – its their utility, their sewer line, not the Town of New Hartford – will be in touch with the Mayor as well – still \$1.5 million short on the bridge – will reach out again – help them out

VI. MATTERS SUBMITTED BY COUNCILMAN REYNOLDS

1. Foxcroft – Phase 1 project – complimented Chris Moran and his crew on their work on the project – very good effort and looks good; Highway Superintendent Richard Sherman – will top soil and plant tree next week -will clear where pond is going to go so ready for the Spring

Councilman Messa presented the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 283 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve to go into Executive Session to discuss Union Negotiation Contracts.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Lenart:

(RESOLUTION NO. 284 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve to come out of Executive Session.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 285 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve to authorize Town Attorney Herbert Cully to send out the settlement proposal for the new PBA contract as outlined in the Nov. 4 letter.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

VII. MATTERS SUBMITTED BY COUNCILMAN LENART

1. IT - Councilman Messa and Councilman Lenart were tasked to talk to Capraro Technologies and Polce who submitted IT contracts for the coming year – both proposals were almost identical in terms of what needed; however, the cost came down in favor of Capraro Technologies by a substantial amount – monthly charge/things they were going to do – we both agree we should continue with the same email server we are currently using – it is our recommendation we go with Capraro Technologies

Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 286 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve to accept Capraro Technologies IT contract.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 287 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve have Town Attorney Herbert Cully to send a letter out to our previous vendor Polce to get our passwords and information.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

Councilman Messa presented the following Resolution for adoption; seconded by Councilman Lenart:

(RESOLUTION NO. 288 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve to have the Town Clerk's Office send out an acceptance letter for managed services and upgrading our IT with Capraro Technologies (one (1) year agreement).

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

VIII. MATTERS SUBMITTED BY TOWN SUPERVISOR MISCIONE

1. BUDGET

- i. Councilman Lenart – no suggested changes
- ii. Councilman Messa – Codes; Supervisor Miscione added the Codes in for the preliminary budget – only change that was requested was the Codes Dept. that we add additional funding in the assistance Codes for \$40,000 for additional help in that department
- iii. Councilman Reynolds – no suggested changes
- iv. Councilman Woodland – no suggested changes

- v. Chief Inserra – Equipment – Supervisor Miscione added a total of \$37,000
- vi. Melody Fancett – ‘don’t know if the Board is considering but we are extremely under staffed right now. I am doing five (5) full time jobs. We need the help because if I am out or Kayla is out the office is closed right now. We still have vacation, sick time – I have the part timer, she’s been there a month but she’s only part time. We do need to think about getting a full timer in there; Supervisor Miscione – only issue we have is – the Ad is finished on the 9th for that – so someone is going to be picked for the Town Clerk – the only problem is if we give up the job that is currently there that you had and then you are not the pick, we will not have another place there. I’d probably wait until they pick somebody for the position and then they can follow up after that and put that person in that spot. We do have that money amount in the budget already plus we have the money for the part timer but again, we don’t have what the outcome is going to be. After Councilman Reynolds and Councilman Lenart do the interviews, we will know that. The next Clerk this is appointed should pick that person, who they want to work with; Councilman Messa – will have decision November 21st?; Councilman Reynolds – maybe; Supervisor Miscione – 20th is a Friday – what like to do – we have the 30 day with the band, the solar law, in saying that, if we can pick a day that these things could be done; cancel 11/20/20 and 12/9/2020 meeting – schedule a meeting for December 16, 2020 (last meeting of the year) and then can approve the solar, band, bids for Zambonie, Clerk’s office decision, year-end decision – Mel needs to post in the newspaper that canceling meetings and scheduling a new date.

Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Lenart:

(RESOLUTION NO. 289 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve to adjust the 2020 meeting schedule as just outlined.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Lenart:

(RESOLUTION NO. 290 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does approve to approve the 2021 budget as presented.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion of Councilman Woodland and seconded by Councilman Messa, the meeting was adjourned at 7:58 P.M.

Respectfully submitted,

Cheryl A. Jassak-Huther

Town Clerk

7/25/2021